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May 11, 2005  
Date of Deposit  
Vincent J. D'Amico

Our Case No. 9623-314

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Stephan Doliov

Serial No. 09/765,802

Filing Date: January 19, 2001

For SYSTEM AND METHOD TO  
DETERMINE THE VALIDITY OF  
AN INTERACTION ON A  
NETWORK

Examiner T. Pardo

Group Art Unit No. 2175

### REQUEST FOR RECONSIDERATION OF THE PATENT TERM ADJUSTMENT UNDER 37 C.F.R. § 1.705(d)

Mail Stop Patent Ext  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

A notice of allowance was mailed in this case on February 23, 2005 indicating that the issue fee is due on May 23, 2005. The issue fee is being submitted in this application simultaneously with this request for reconsideration of the patent term adjustment.

The Determination of Patent Term Adjustment under 35 U.S. C. § 154(b) shows a current calculation of the patent term adjustment of 900 days. For the reasons stated herein, reconsideration of this patent term adjustment

is respectfully requested. Please charge the petition fee under 37 C.F.R. § 1.18(e) to Deposit Account No. 23-1925. Please charge any additional fee required or credit for any excess fee paid to Deposit Account No. 23-1925. A duplicate copy of this Petition is attached.

The patent term adjustment for this application is calculated as shown below. Dates are specified based on the Patent Application Information Retrieval (PAIR) system Patent Term Adjustment History, attached as Exhibit A. The present application is not subject to a terminal disclaimer.

Period of adjustment under 37 C.F.R. § 1.703(a)

The period of adjustment under 37 C.F.R. § 1.703(a)(1) is the number of days in the period beginning on the day ("the 14 month date") after that date that is fourteen months after the date on which the application was filed under 35 U.S.C. § 111(a) and ending on the date of mailing or either an action under 35 U.S.C. § 132 or a notice of allowance under 35 U.S.C. § 151, whichever comes first.

The present application was filed on January 19, 2001. The 14 month date specified in 37 C.F.R. § 1.703(a) is March 19, 2002. The first PTO action was a requirement for restriction mailed September 7, 2004. The difference between the 14 month date and the date of mailing of the requirement for restriction is 903 days.

Period of adjustment under 37 C.F.R. § 1.703(b)

The period of adjustment under 37 C.F.R. § 1.703(b) is the number of days in the period beginning on the day after that date that is three years after the date on which the application was filed under 35 U.S.C. § 111 and ending on the date the patent was issued.

In the present application, the application was filed on January 19, 2001. The three year date is January 19, 2004. A notice of allowance was mailed February 23, 2005. The difference between the three year date and the date of mailing of the notice of allowance is 401 days. There is an overlap from January

19, 2004 through September 7, 2004 of 232 days. Therefore, the net three year delay is 169 days. Therefore, to date, at least an additional 169 should be added to the patent term adjustment.

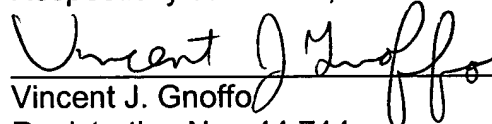
Reduction in Period of Adjustment under 37 C.F.R. § 1.704

Under 37 C.F.R. § 1.704(b), the period of adjustment shall be reduced by the number of days, if any, beginning on the day after the date (the 3 month date) that is three months after the date of mailing or transmission of an Office communication notifying the applicant of a rejection, objection, etc., and ending on the date the reply was filed.

In the present application, a non-final rejection was mailed on September 7, 2004. The 3 month date was December 7, 2004. A response to the non-final rejection was mailed December 10, 2004. The difference between the 3 month date and the response date was 3 days.

The sub-total net delay calculated on the mailing of the notice of allowance in the present application is thus  $903 + 169 - 3 = 1069$  days.

Respectfully submitted,



Vincent J. Gnoffo  
Registration No. 44,714  
Attorney for Applicant

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CHICAGO, ILLINOIS 60610

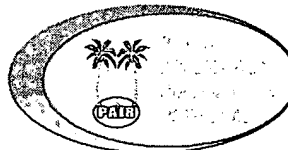


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MAY 16 2005

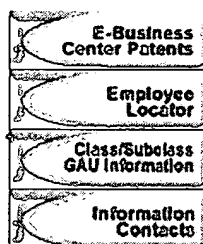
## PATENT APPLICATION INFORMATION RETRIEVAL



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Patent Term Adjustment (PTA) for application number: 09/765,802			
			Days
Filing or 371(c) Date:	01-19-2001	USPTO Delay (PTO):	903
Issue Date of Patent:	-	Three Years:	-
Pre-Issue Petitions (days):	+0	Applicant Delay (APPL):	3
Post-Issue Petitions (days):	+0	Total PTA:	900
USPTO Adjustment (days):	+0	Explanation of Calculations	

## Other Links



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Published Documents

## Patent Term Adjustment History

Date	Contents Description	PTO (days)	APPL (days)
02-23-2005	Mail Notice of Allowance		
02-22-2005	Issue Revision Completed		
02-22-2005	Notice of Allowance Data Verification Completed		
02-22-2005	Notice of Allowability		
02-14-2005	IFW TSS Processing by Tech Center Complete		
12-10-2004	Reference capture on IDS		
12-10-2004	Information Disclosure Statement (IDS) Filed		
02-14-2005	Date Forwarded to Examiner		
12-10-2004	Response after Non-Final Action		3
12-10-2004	Workflow incoming amendment IFW		
10-13-2004	Case Docketed to Examiner in GAU		
09-07-2004	Mail Non-Final Rejection	903	
09-03-2004	Non-Final Rejection		
08-09-2004	Case Docketed to Examiner in GAU		
08-02-2004	Transfer Inquiry to GAU		
01-26-2004	Information Disclosure Statement (IDS) Filed		
09-03-2002	Information Disclosure Statement (IDS) Filed		
01-29-2002	Information Disclosure Statement (IDS) Filed		
05-14-2001	Preliminary Amendment		
05-14-2001	Information Disclosure Statement (IDS) Filed		
05-19-2001	Case Docketed to Examiner in GAU		
03-14-2001	Application Dispatched from OIPE		
03-13-2001	Correspondence Address Change		
03-13-2001	Correspondence Address Change		

02-06-2001	IFW Scan & PACR Auto Security Review	↑	
01-19-2001	Initial Exam Team nn	↑	

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